



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: FUCHS=2A

In re Application of:

FUCHS et al.

Appln. No.: 09/820,339

Date Filed: March 29, 2001

For: RECOMBINANT FRAGMENTS OF  
THE HUMAN ACETYLCHOLINE  
RECEPTOR AND THEIR...

) Art Unit: 1647  
)  
) Examiner: R. C. Hayes  
)  
) Washington, D.C.  
)  
) Confirmation No. 3100  
)  
) December 8, 2005  
)

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop AF  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated June 8, 2005, of the Primary Examiner. The claims appealed are claims 8, 9, 16-19, 28, 30 and 32-39.

The item(s) checked below are appropriate:

XXX Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

       \$500.00

XXX \$250.00 (small entity)

       Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity  
Response Filed Within

[ ] First - \$ 60.00

[ ] Second - \$225.00

[X] Third - \$510.00

month after time period set

[ ] Less fees (\$ \_\_\_\_\_) already paid for \_\_ months extension of time on \_\_\_\_.

Other Than Small Entity  
Response Filed Within

[ ] First - \$ 120.00

[ ] Second - \$ 450.00

[ ] Third - \$1020.00

month after time period set

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 760.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

12/09/2005 SZEWDIE1 00000136 09820339

01 FC:2401  
02 FC:2253

250.00 OP  
510.00 OP

Respectfully submitted,  
BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By: \_\_\_\_\_

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